

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOMINGO ZETINO-HERNANDEZ,

Defendant.

8:23CR69

ORDER

This matter is before the Court on Defendant, Domingo Zetino-Hernandez's oral motions to withdraw his [24] Motion to Suppress Evidence and Statements and to request a status conference. The motions are unopposed by the government. For good cause shown, the Court finds the motions should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's oral motion to withdraw his [24] Motion to Suppress Evidence and Statements is granted. The motion is withdrawn.
- 2) Defendant's oral motion for a status conference is granted.
- 3) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 14, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.
- 4) A telephonic status conference with counsel will be held before the undersigned magistrate judge at **10:00 a.m. on November 14, 2023**. Counsel for the parties shall use the conferencing instructions at [Filing No. 27](#) to participate in the status conference.

Dated this 16th day of August, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge